

Art Unit: 3746

**REMARKS**

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-5 are now pending in the present application. Claims 1 and 5 are the independent claims.

Claim 5 is newly presented. Claims 1, 3, and 4 have been amended. No new matter has been added.

The Office Action objected to the drawings for allegedly failing to illustrate the "multiple valve bodies associated with a single suction valve" of claim 1.

In response, attention is respectfully directed to at least FIGS. 3 and 6 of Applicants' disclosure. FIG. 6 illustrates a suction valve 150 having a valve body 152. FIG 3, in parallel, illustrates plural valve bodies 152 of a valve plate 140 that Applicants explain constitutes a suction valve 150. (*Applicants' specification*, page 13, lines 4 and 5). Thus, it is submitted that the figures illustrate the subject claim features.

Favorable consideration is respectfully requested.

The Office Action objected to the specification for various informalities. In response, Applicants have amended the specification in view of the Examiner's comments so as to correct the noted informalities.

Favorable consideration is respectfully requested.

The Office Action objected to claim 1 on formal grounds because of the recitation of "the number of rotations of the swash plate." In response, Applicants have amended this claim in view of the Examiner's comments.

Favorable consideration is respectfully requested.

Art Unit: 3746

The Office Action objected to claims 3 and 4 on formal grounds because of the recitations of "without via a clutch." In response, Applicants have amended this claim in view of the Examiner's comments.

Favorable consideration is respectfully requested.

Claims 1-4 stand rejected under 35 U.S.C. § 103 as unpatentable over the combination of U.S. Patent No. 5,584,670 (*Kawaguchi et al.*) and U.S. Patent No. 5,171,137 (*Todescat et al.*). This rejection is respectfully traversed.

Independent claim 1 now recites, *inter alia*, ... valve bodies ... each valve body formed with a curved peripheral portion that: curves toward a valve seat and is elastically deformed by the valve seat into a flat state by press-contact and is further elastically deformed when the valve body is in a valve-open state.

Applicants respectfully submit that the asserted combination, even in view of the knowledge of one of ordinary skill in the art, does not disclose at least the aforementioned features, for at least the following reasons.

The Office Action concedes that the primary citation to *Kawaguchi et al.* does not teach or suggest valve bodies that are press-contacted in an elastically deformed state against valve seats of suction ports. The Office nonetheless rejected independent claim 1 contending that the secondary citation to *Todescat et al.* provided the necessary disclosures. (*Office Action*, page 4).

While conceding neither the propriety of the asserted combination nor the Office's characterization of *Todescat et al.*, Applicants respectfully submit that the asserted combination does not disclose the aforementioned features of amended independent claim 1.

Art Unit: 3746

*Todescat et al.* relates to a valve for a hermetic refrigeration compressor and discusses an arrangement that includes a valve that has a flexible blade element 60 and a biasing means 70. The blade element 60 flexes to open and close the valve and is biased, by the biasing means 70, away from a valve plate 30. (*Todescat et al.*, FIG. 6).

The Office Action does not specifically identify the structure(s) that it contends is/are the previously claimed valve bodies, but does specifically identify a deformed portion of 71 to be of interest. (*Office Action*, page 4).

A review of FIG. 6 of *Todescat et al.* reveals that neither of these valve structures even suggests the aforementioned claim features.

For example, neither the blade element 60 nor the biasing means 70 has a curved peripheral portion that curves toward a valve seat. Rather, the blade element 60 curves away from the valve plate 30 while the biasing means 70 is bent away from the valve plate. Further, changing the curve/bend directions would change the principle of operation.

For these reasons alone, independent claim 1 defines over the asserted combination.

Independent claim 1 patentably defines for other reasons, however.

As another example, since neither the blade element 60 nor the biasing means 70 has a peripheral portion that curves toward a valve seat, these elements also lack the claimed portion that is elastically deformed into a flat state by the claimed press-contact.

As still another example, the biasing means 70 is not further elastically deformed when in a valve-open state. Also, as explained above, the blade element 60 is not elastically

Art Unit: 3746

deformed into a flat state. Thus, it cannot reasonably be said to be further deformed, as claim 1 now recites.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claim 1 are respectfully requested.

Lastly, Applicants respectfully submit that newly presented claim 5 patentably defines over the cited art at least for reasons similar to those presented herein. For example, at least the recitation of "flexible valve bodies respectively corresponding to suction ports of the suction valve, each valve body having a curved peripheral region: that curves toward a suction port; that, when press-contacted, is elastically deformed from a curved state to a flat state against a valve seat of the suction port; and that is further elastically deformed past the flat state to a deformed curved state in which the curved peripheral region curves away from the valve seat when the suction valve draws in the refrigerant" defines over the cited art.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

Art Unit: 3746

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

Applicants have requested one-month extension of time. The credit card payment form in the amount of \$120 has been attached herewith.

Respectfully submitted,



Kazunao Kubotera

Reg. No. 51,194

KUBOTERA & ASSOCIATES, LLC

200 Daingerfield Rd.

Suite 202

Alexandria, VA 22314

Tel. (703) 684-9777